

Serial No. 09/597,437  
Page 4

### REMARKS

In the Office Action of December 4, 2003, the Examiner has rejected claims 1, 2 and 5 under 35 USC §102(e) as being anticipated by Ng (U.S. Patent No. 6,031,559). Claims 3 and 4 are allowed. Claims 6-8 are objected to as being dependent upon a rejected base claim. The Examiner has stated that claims 6-8 would be allowable is rewritten in independent form to include all of the limitations of the base claim and any intervening claims.

The Office Action of December 4, 2003, has been carefully considered and by this amendment, entry of which is respectfully requested, claims 3-5, 7 and 8 remain in the application; claims 5, 7 and 8 have been amended; and claims 1, 2 and 6 have been canceled. The amendments do not add new matter.

In the Office Action, the Examiner has stated that claims 3, 4 and 6-8 contain allowable subject matter, as the art of record does not teach or suggest generation of predetermined continuous tone levels based on certain criteria, or applying data transformation under certain criteria, as stated in the allowable claims.

Independent claim 5 has been amended to claim the allowable subject matter of claim 6, indicated by the Examiner. In light of the amendments to independent claim 5, and the remarks by the Examiner regarding the allowable subject matter of claims 3, 4, and 6-8, it is submitted that the cited art does not teach, anticipate, or render obvious the invention of Applicants, as now claimed.

Claims 3 and 4 have been allowed by the Examiner. Claims 7 and 8 depend from independent claim 5 to contain all of the limitations found therein, including the allowable subject matter indicated by the Examiner in claim 6. By this dependency, it is submitted that these claims are not anticipated, taught, or rendered obvious by the cited documents since none of the references cited teach or suggest generation or data transformation as disclosed by the claims of the subject application. Additionally, these

A

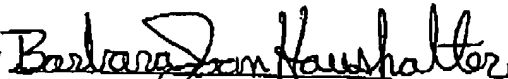
Serial No. 09/597,437  
Page 5

claims add further limitations which distinguish them patentably from the cited documents. Accordingly, withdrawal of the rejection of claim 5 under 35 USC §102(e), and the objection to claims 7 and 8, is respectfully requested.

In view of the foregoing remarks, the undersigned attorney respectfully submits that all of the remaining claims of the application are clearly allowable. Therefore, Applicant's attorney respectfully requests that the Examiner's objections and rejections be withdrawn and that a formal Notice of Allowance be issued thereon.

If it is believed that an interview would serve to facilitate prosecution of the present application, the Examiner is requested to contact the undersigned attorney. Should the Examiner have any questions with respect to any matter now of record, Applicants' attorney may be reached at (937) 592-8603.

Respectfully submitted,

By   
Barbara Joan Haushalter  
Registration No. 33,598

228 Bent Pines Court  
Bellefontaine, Ohio 43311  
(937) 592-8603  
Facsimile: (937) 592-8604  
February 10, 2004

A